MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.209 OF 2007
IN
APPEAL FROM ORDER (ST) NO.3835 OF 2007

Allahabad Bank Applicant
versus
Mrs.Neelam Ramesh Bhatia & ors. Respondents

Mr.Khandeparkar i/by Jayesh Patel for applicant.
Mr.Piyush Parikh for respondent nos.1 to 4.
Mr.Satish Kumar Dubey for respondent no.6.

CORAM : A.S.OKA, J.

DATE : 24th April 2007

PC :

1. Heard advocate for the applicant. The application is vehemently opposed by the advocates appearing for respondent nos.1 to 4 as well as the advocate for respondent no.6.

2. The delay is of 151 days. There is an affidavit filed by Shri J.V.Parab, Advocate who was appearing for the applicant before the Trial Court. In view of the statements made in the said affidavit, sufficient cause is made out for condonation of delay. However, considering the

MST

length of delay, the applicant will have to pay costs to the contesting respondents.

3. Hence, Civil Application is allowed in terms of prayer clause (a). The applicant will pay a sum of Rs.1,500/- (Rs.Fifteen hundred only) being costs to the first to fourth respondents. The applicant will also pay a sum of Rs.1,500/- (Rs.Fifteen hundred only) to the sixth respondent by way of costs. Amount of costs to be paid within six weeks from today. Office will assign appropriate date for hearing of the appeal as to admission. Payment of costs is a condition precedent.

(A.S.OKA, J.)